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PTO/SB/29 (12/97)

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

Attorney Docket No. 7683-165 Total Pages 91

First Named Inventor or Application Identifier

AXEL ULLRICH

Express Mail Label No. EL394 218 299US

**APPLICATION ELEMENTS**  
See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form  
Submit an original, and a duplicate for fee processing
2. ☒ Specification [Total Pages 61]  
+ Abstract] (preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description of the Invention (including drawings, if filed)
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 30]
4. ☒ Oath or Declaration [Total Sheets 02]
  - ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for divisional with Box 17 completed)  
[Note Box 5 below]
  - i. ☐ DELETION OF INVENTORS(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5. ☒ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☒ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

8. ☒ Assignment Papers (copy from prior application)
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
14. ☐ Small Entity ☐ Statement filed in prior application, Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Other: ?

**17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No: 08/153,397, filed November 16, 1993.

**18. CORRESPONDENCE ADDRESS**

☒ Customer Number or Bar Code Label 20583 (Insert Customer No. or Attach bar code label here) or ☐ Correspondence address below

NAME			
ADDRESS			
CITY	STATE	ZIP CODE	
COUNTRY	TELEPHONE	FAX	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

#8/A  
1-9-01  
M.L.

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner Ulm, J.  
Art Unit 1646

Assistant Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 08/153,397, filed on November 16, 1993.

of AXEL ULLRICH and FRANK ALVES  
(inventor(s) currently of record in prior application)  
for DNA ENCODING MCK-10, A NOVEL RECEPTOR TYROSINE KINASE  
(title of invention)

1. ☒ Prior to calculating the fee below, cancel in this application original claims ~~1/16, 18/20, 22-24, 26-29 and 31-74~~ of the prior application:

## PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	4	-20	0	\$18.00 each	0.00
Independent	4	-3	1	\$78.00 each	78.00
Basic Fee					690.00
Multiple Dependency Fee If Applicable (\$270.00)					
Total					0.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					-
Total Filing Fee					\$ 768.00

2. ☐ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

3. ☒ Amend the specification by inserting before the first line the following sentence: This is a ☐ continuation, ☒ division of application Serial No. 08/153,397, filed November 16, 1993, the entire contents of which is incorporated herein by reference in its entirety.

A1

- 4a. ☐ Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
- 4b. ☐ New formal drawings are enclosed.
- 4c. ☒ Informal drawings are enclosed.
- 5a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ The prior application is assigned of record to Max-Planck-Gesellschaft Zur Forderung Der Wissenschaften. A copy of the recorded Assignment is being submitted herewith.
- 7a. ☒ The Power of Attorney appears in the original papers in the prior application no. 08/153,397, filed November 16, 1993. A copy of the executed Power of Attorney is being submitted herewith.
- 7b. ☐ Since the Power of Attorney does not appear in the original papers, a copy of the Power in prior application no. , filed is enclosed.
8. ☒ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no. 08/153,397, filed November 16, 1993 on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. 08/153,397 is enclosed.
9. ☒ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. 08/153,397 is the same as the content of the computer readable form submitted in application no. 08/153,397.
10. ☐ Additional enclosures or instructions.

April 17, 2000  
(date)

Respectfully submitted,

Laura A. Coruzzi  
(signature)

30,742  
(Reg No.)

Laura A. Coruzzi, Esq.  
PENNIE & EDMONDS LLP  
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New York, NY 10036  
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Nicholas C. Tringe  
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